

***Draft* MEETING MINUTES**  
**CITY OF MILPITAS**

**Minutes of:** Joint Meeting of Milpitas City Council and Housing Authority Commission

**Date:** Tuesday, January 5, 2016

**Time:** 6:00 PM Closed Session / 7:00 PM Open

**Location:** Council Chambers, Milpitas City Hall,  
455 East Calaveras Blvd., Milpitas

## CALL TO ORDER

Mayor Esteves called the meeting to order at 6:00 PM. City Clerk noted the roll.

**PRESENT:** Mayor Esteves, Vice Mayor Montano, Councilmembers Giordano and Grilli

**ABSENT:** Councilmember Barbadillo was absent at roll call and arrived in Closed Session at 6:05 PM.

## CLOSED SESSION

City Council convened in Closed Session to discuss two scheduled items.

City Council then convened in Open Session at 7:07 PM.

## ANNOUNCEMENT

No announcement out of closed session.

## PLEDGE

Boy Scouts Troop No. 92 led the pledge of allegiance.

## INVOCATION

Vice Mayor Montano invited Reverend Efren Garza to offer a prayer.

# MEETING MINUTES

**Motion:** to approve the minutes of December 15, 2015 City Council meeting

Motion/Second: Councilmember Giordano/Vice Mayor Montano

Motion carried by a vote of: AYES: 5  
NOES: 0

## SCHEDULE OF MEETINGS

Motion: to approve Council Calendar/Schedule of Meetings for January 2016

Motion/Second: Councilmember Giordano/Vice Mayor Montano

Motion carried by a vote of: AYES: 5  
NOES: 0

## PRESENTATION

None.

## PUBLIC FORUM

Martin Skelson, Milpitas resident, commented on the water rates notice, the last City Council meeting, and the re-arranging of agenda items on that date. He was disappointed.

Robert Marini, Milpitas resident, provided a one page handout and remarked about violations he alleged of the state constitution and improper calculations of sewer and water rates.

Ted Grish, 38 year resident and homeowner in Milpitas, was disappointed in how the water rates were “ramrodded” through to residents. He would like an answer to “How many water rate protest letters did the Councilmembers personally read, prior to the meeting?” which he posed to each individual City Councilmember.

Rob Means, 1421 Yellowstone resident, addressed the benefits of PRT (personal rapid transit) and displayed one slide overhead.

Voltaire Montemayor, Milpitas resident, was all for City of Milpitas. He said thanks for blessed arrival of the rain, urged all to watch out for puddles and to be careful driving around the city.

## **ANNOUNCEMENTS**

City Manager Tom Williams introduced Mr. Russell Morreale as the City's new Director of Finance, who began his new job with the City on January 4. Mr. Morreale spoke to the Council, stating how pleased he was to come to Milpitas, and the Mayor welcomed him.

Councilmember Giordano announced the Youth Advisory Commission's 3<sup>rd</sup> annual Spelling Bee on January 22 for various grade levels in the Senior Center and the Community Center.

Vice Mayor Montano congratulated the Fire Department for their Firefighters Toy Program, for those families in needs near Christmas. Also, she expressed anew her decision to vote favorably on the increased water rates and why that was necessary.

Councilmember Grilli asked the Mayor when the two water suppliers would be invited to the City Council, as mentioned by him at the last meeting. Mayor Esteves did not have an answer yet, but he would go to a BAWSCA meeting soon and invite the two water wholesalers to come after that.

Mayor Esteves acknowledged the Community Advisory Commission for its recent tree planting event completed last month.

## **ANNOUNCEMENT OF CONFLICT OF INTEREST AND CAMPAIGN CONTRIBUTIONS**

City Attorney Diaz asked Councilmembers if they had any personal conflicts of interest or reportable campaign contributions. None were reported.

## **APPROVAL OF AGENDA**

Motion: to approve the meeting agenda, as submitted

Vice Mayor Montano said to the City Manager, she was expecting a new bid for janitors on this agenda, but did not see it so she asked if it would be on the next agenda. Mr. Williams replied that was not the direction of the Council and he would put this topic on the agenda for January 19.

Motion/Second: Councilmember Giordano/Vice Mayor Montano

Motion carried by a vote of: AYES: 5  
NOES: 0

## **CONSENT CALENDAR**

Motion: to approve the Consent Calendar (items noted with \*asterisk), as amended

Vice Mayor Montano asked to remove item no. 6 (health related grant) from consent.

Motion/Second: Vice Mayor Montano/Councilmember Giordano

Motion carried by a vote of: AYES: 5  
NOES: 0

### **\* 2. Odor Report**

Received the latest update of the odor control report.

### **\* 3. Commission Appointments**

Per Mayor's recommendation, approved the following:

#### **Senior Advisory Commission:**

Re-appointed Mary Banick to a term that will expire in December of 2017.

Re-appointed Estrella Gilana to a term that will expire in December of 2017.

#### **Sister Cities Commission:**

Appointed Mary Llamas as a voting member to a term that will expire in September 2016.

Newly appointed Carla Bayot as Alternate No. 1 to a term that will expire in September 2016.

**Veterans Commission:**

Newly appointed William J. Devereux as the Alternate No. 1 to a term that will expire in February 2016.

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| * 4. Remove BPAC member  | Voted to remove Samuel Usal as Alternate No. 1 on the Bicycle Pedestrian Advisory Commission.  |
| * 5. Temporary Plan Check Engineer                             | 1. Approved and authorized employment of one Temporary Plan Check Engineer.<br>2. Approved the budget appropriation for a total amount not to exceed \$75,000 into the Building and Safety Department's budget.  |
| * 7. Recreation Staff Funding                                  | Approved the appropriation of funds from the General Fund in the amount of \$75,025 to fill one vacant unfunded Recreation Services Supervisor position.   |
| * 8. Amendment No. 3 to the Agreement with Harris & Associates | 1. Approved and authorized the City Manager to execute Amendment No. 3 to the Agreement with Harris & Associates in the amount of \$110,000 and to extend the terms of the agreement to April 30, 2016.<br>2. Approved a budget appropriation in the amount of \$110,000 to the Land Development operating budget.   |
| * 9. Amendment No. 1 to the Agreement with CSG Consultants     | 1. Approved and authorized the City Manager to execute Amendment No. 1 to the Agreement with CSG Consultants, Inc. in the amount of \$120,000; and, extend the terms of the agreement to April 30, 2016.<br>2. Approved a budget appropriation to the Land Development operating budget in the amount of \$120,000 to continue Engineering staff support services for Land Development |

**PUBLIC HEARING**

**1. 2016 Weed Abatement Program**

Fire Marshal/Deputy Fire Chief Albert Zamora explained actions taken to date for the annual weed abatement program, including the resolution adopted last month. This evening was the opportunity to hear from any property owners who might object to clearing of weeds on their properties. Also, Mr. Moe Kumre from the County of Santa Clara Agriculture Office was present to answer any questions about the program.

Councilmember Giordano inquired about the noticing to hillside property owners and timing for "disking" to clear weeds. Her concern was for the rainy season and giving enough time to property owners to clear those weeds. Mr. Kumre responded to her.

Mayor Esteves noticed that Union Pacific Rail Road was on the list. He asked if the railroad lands were a problem and Mr. Zamora replied yes, at times, so he worked closely with railroad and Caltrans staff, too.

Mayor Esteves opened the public hearing for comment.

Voltaire Montemayor, Milpitas resident, referred to keeping Milpitas a beautiful city, and to keep it from destructive influences. Weeds were a nuisance, he agreed.

(1) Motion: to close the public hearing, following one speaker

Motion/Second: Councilmember Grilli/Councilmember Giordano

Motion carried by a vote of: AYES: 5  
NOES: 0

(2) Motion: to adopt Resolution No. 8518 directing the County Agricultural Commissioner to abate the nuisance, keep an account of the cost, and embody such account in a report and assessment list to the City Council in accordance with the Milpitas Municipal Code

Motion/Second: Councilmember Grilli/Councilmember Giordano

Motion carried by a vote of: AYES: 5  
NOES: 0

## **NEW BUSINESS**

Three items were approved on consent calendar.

### **6. Receive Grant**

Vice Mayor Montano asked staff to elaborate on the grant received. Recreation Services Manager Renee Lorentzen replied that the grant from the County was to encourage healthy lifestyles especially for youth, including healthy, safe routes to school, and for residents to use the trail systems for exercise. Ms. Montano complimented staff for their efforts to apply for such grants that were helpful to all members of the community.

Motion: to accept the Partnerships to Improve Community Health (PICH) grant from the County of Santa Clara in the amount of \$35,000 into the Recreation Services budget

Motion/Second: Vice Mayor Montano/Councilmember Giordano

Motion carried by a vote of: AYES: 5  
NOES: 0

## **HOUSING AUTHORITY**

Mayor/Chair Esteves called the joint meeting of the City Council and Housing Authority Commission to order at 7:55 PM. All members were present.

Motion: to approve the agenda and adopt the consent calendar (one item below)

Motion/Second: Councilmember Giordano/Vice Mayor Montano

Motion carried by a vote of: AYES: 5  
NOES: 0

### **\*10. Resolution**

Adopted Resolution No. HA17 of the Milpitas Housing Authority Commission authorizing the Executive Officer (City Manager) to release the resale restrictions for the property at 700 S. Abel Street #212, Milpitas, CA.

## **ADJOURNMENT**

Mayor Esteves adjourned the joint meeting of the Milpitas City Council and Housing Authority at 7:55 PM.

*Meeting minutes respectfully submitted by  
Mary Lavelle, City Clerk*